

ORDINANCE NO. 2177

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF GARDNER, KANSAS, UNDER THE AUTHORITY GRANTED BY THE GARDNER, KANSAS, ZONING ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Gardner, Kansas, Zoning Ordinance, the zoning classification or districts of the lands legally described hereby are changed as follows:

The following described property shall hereafter have a zoning classification of RP-3, Planned Gardner Apartment District, subject to the following stipulations:

- a) The development shall be in accordance with Exhibit "A" (Preliminary Development Plan, PDP-05-03) and Exhibit "B" (Building Elevations) which are filed in the office of the Planning Commission Secretary at City Hall and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
- b) The location and geometrics of all driveways, public streets, and parking areas are subject to review and approval by Community Development Department staff.
- c) Prior to the issuance of building permits, the Planning Commission shall approve a final development plan for this subject property.

CASE NO. Z-05-09

Rezoning from R-1, Single Family Residential District, and R-5, Apartment House District, to RP-3, Planned Garden Apartment District

Legal Description: All of Lot 13, except the South 50 feet, of Bigelow Place, a subdivision in the City of Gardner, Johnson County, Kansas, according to the recorded plat thereof; and Lot 2 of Bigelow's Subdivision, a subdivision in the City of Gardner, Johnson County, Kansas, according to the recorded plat thereof.

SECTION TWO: That upon the taking effect of this Ordinance, the above zoning changes shall be incorporated and shown on the Zoning District Map previously adopted by reference, and said Zoning District Map is hereby reincorporated as a part of the Zoning Ordinance as amended.

SECTION THREE: That this Ordinance shall take effect and be in force from and after its adoption by the City Council and publication in the official City Newspaper.

PASSED and APPROVED this 5th day of December, 2005.

ATTEST:

Carol Lehman, Mayor

Gwen Scott, City Clerk

(SEAL)